IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5100 of 2006
Date of Decision: 26.09.2006

Dr.Shashi Anand ...Petitioner

Vs.

Dr.Hawa Singh and Ors. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.T.S.Dhindsa, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the order dated 11.8.2006 passed by the learned Civil Judge (Junior Division), Kurukshetra allowing the amendment of the suit on account of subsequent events as well as the dismissal of review application filed by the petitioner for review of order.

The only contention of the learned counsel for the petitioner is that though the Court could have allowed the amendment to incorporate the subsequent events but in the garb of that amendment in

the prayer clause they have challenged the resolution Nos. 39 of 2005 and 49 of 1997 and therefore, it was not open to the court to allow the amendment. In support of his contention, learned counsel for the petitioner placed reliance on **Inder Pal Singh Vs. Bankey Bihari 2003 (3) PLR 500.**

I have considered the arguments raised by the learned counsel for the petitioner.

No pleadings with regard to the resolution have been sought by amendment and any amendment of prayer clause allowed by the court would not be covered by the provisions of Order 6 Rule 17 of the Code of Civil Procedure as relief can be granted/moulded on the basis of pleadings and evidence led before the Court.

No ground is made out which may call for interference in the impugned order by this court.

Dismissed.

(Vinod K.Sharma)
Judge

26.09.2006
rp